



IHCDA Suspension & Debarment Policy

Purpose: As a recipient of federal and state funds, IHCDA has a moral, and often legal, obligation to ensure that those funds are used as intended. To fulfill this duty, IHCDA must have the discretion to suspend or debar those who misuse, abuse or otherwise fail to use funds correctly.

Program Scope: This Policy covers all programmatic relationships with IHCDA, including grants, loans, professional service contracts, and other awards, contractual relationships, or funding programs (each relationship referred to in the Policy as an “IHCDA Program”).

Scope of Persons Affected: This Policy applies to all persons directly or indirectly receiving, administering or associated with funds from an IHCDA Program whether or not such person has a contractual relationship with IHCDA, including but not limited to the following persons:

- Contractors
- Sub-contractors
- Applicants
- Award recipients
- Grant recipients
- Sub-recipients
- Sub-grantees
- Property owners
- Developers
- Syndicators
- Administrators
- Individuals employed by, contracted by or affiliated with any of the persons listed

Such persons will be referred to as “Affected Persons” in this Policy. For the purposes of this Policy, the term “person” shall be interpreted broadly to mean any individual, trust, cooperative, association, organization, or any other entity.

Policy: In its sole discretion, IHCDA may **suspend** an Affected Person from participating in an IHCDA Program(s) pending completion of an investigation or legal proceeding. In its sole discretion, IHCDA may **debar** an Affected Person from participating in an IHCDA Program(s) for a period not to exceed five (5) years based on reasonable evidence that the Affected Person has behaved or is behaving improperly with regard to an IHCDA Program(s), whether intentionally or unintentionally. The difference between a suspension and a debarment is that a suspension is used to allow IHCDA to determine whether a debarment or other action is warranted pending completion of an investigation. Therefore, a suspension is intended to be an indefinite, but temporary measure until IHCDA determines whether debarment is appropriate.

Upon determining that an Affected Person will be **suspended**, IHCDA will send the Affected Person a written notice of the suspension using the “Sample Suspension Letter” attached hereto. Following completion of the investigation, IHCDA will send the Affected Person a written notice of its final decision, using either the attached “Sample Debarment Letter” or the “Sample No Action Letter.”

Unless otherwise stated, a suspension or debarment will apply to not only the Affected Person, but to any entity owned, controlled or managed by the Affected Person or a spouse, domestic partner, child, sibling, aunt, uncle, niece, nephew, cousin, grandchild, parent or grandparent of the Affected Person, including “in-laws”, “half” or “step” relations.

Appeals Process: An IHCDCA decision to **debar** an Affected Person may be appealed within thirty (30) calendar days of notice to the Affected Person of the decision. The appeal must be in writing and contain, at a minimum, the reasons for the appeal and supporting documentation or evidence. Appeals should be sent to IHCDCA, 30 South Meridian Street, Suite 1000, Indianapolis, IN 46204, Attn: Compliance Officer. The Compliance Officer will respond to the appeal within forty-five (45) calendar days of receipt of the appeal. The Compliance Officer’s response to the appeal is not appealable. An IHCDCA decision to **suspend** an Affected Person is not appealable because it does not represent final disposition of the matter.